

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

## REVERSE NOW VII, LLC,

Plaintiff,

V<sub>3</sub>

OREGON MUTUAL INSURANCE  
COMPANY,

Defendant.

CASE NO. C16-209-MJP

## ORDER DENYING MOTION FOR RECONSIDERATION

THIS MATTER comes before the Court on Defendant Oregon Mutual Insurance Company's Motion for Reconsideration of the Court's Order on its Motion for Summary Judgment. (Dkt. Nos. 43, 44.)

Motions for Reconsideration are disfavored and ordinarily will not be granted “in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority . . .” LCR 7(h)(1). Oregon Mutual claims the Court should reconsider its finding that questions of fact precluded summary judgment in light of “new evidence,” which it claims “make clear that Oregon Mutual did not make unreasonably low offers, but instead was attempting to adjust the claim based on the information on hand and in the face of active

1 obstruction.” (Dkt. No. 43 at 3.) In particular, Oregon Mutual points to a June 2015 email from  
2 Mr. Moreland stating that the test repair initially appeared to match, but the color did not hold as  
3 the product cured over time and “the results are not very good.” (See Dkt. No. 45 at Ex. 5.)  
4 Oregon Mutual claims this email shows that “Reverse Now believed that a match may be  
5 possible prior to this first attempt at a test patch,” but “did not inform Oregon Mutual of its  
6 position that a match could not be made until its letter of November 6, 2015.” (Dkt. No. 44 at 3.)  
7 It is not clear to the Court why this would be grounds for reconsideration. If anything, this “new  
8 evidence” further supports Plaintiff’s claim that matching was not feasible. Questions of fact  
9 remain as to whether Oregon Mutual’s conduct and its offer for payment were reasonable.  
10 Therefore, the Court DENIES the Motion for Reconsideration.

11 The clerk is ordered to provide copies of this order to all counsel.

12 Dated February 15, 2018.

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15 Marsha J. Pechman  
16 United States District Judge  
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